

כז-72/5283

מדינת ישראל

משרד ראש הממשלה

ארכיון המדינה

Land Registry

LC כרם

Saleh son of Mustafa
El rateut

כרמל - סמל 1933

מדינת ישראל

גנזך המדינה



שם תיק: פעולות מרשם - טול כרם - סאלח קון

מזהה פיו: מ-72/5283

מזהה פריט: 001veaf

כתובת: 2-120-4-10-7 תאריך הדפסה: 31/10/2023

מ

ארץ ישראל
ממשלת המנדט

מחלקת חקלאות
משרד המושבות והיישובים
מחלקת חקלאות

מס, תיק

מכיל מס,

תיק מס,

R13388

RECORDED

TOWN OR VILLAGE

Petition No.	of Year
Deed No.	of Year
Register No.	of Year

Nature of Property Saleh son of ellustafa H. Natour.
Registered proprietor.....

Nature of Transaction	Date	Nature of Transaction	Date		

ATTACHED FILES		

R.13388 -7360

Registrar of Lands
Tulkarm.

Subject :- Saleh son of Mustafa
Ennatout.

Reference :- Your Pet.No.573/33-1320
of 9th September, 1933.

You may now for the second time
notify the complainants giving them 7 days
notice during which to stop the transaction by
an order from the Court and if they fail to do
so, you will proceed with the registration in the
name of applicant on payment of Dial El Misl on
the market value less improvements.

Your file is returned herewith.

9/11
DIRECTOR OF LANDS.

MH/LP

9th, Sept. 1933

Director of Lands,
Jerusalem.

Subject :- Saleh son of Mustafa Ennatour

Reference :- Your letter No.R.13388-5636
of 11.7.33. and R.13388-6864
of 28.8.933.

Fatmeh dtr. of Mohamed Kaka presented the objection enclosed on fol.20, stating that it has come to her knowledge that a transaction in respect of the registration of one and a half Kirats in the land known as Khor El-Jarrad of Kalansawa has been presented to this office, and as she, together with her children Abdul-Rahim and Hamdeh, are the owners of certain shares in the said land, and whereas she has already lodged a case in the land Court regarding the said land, she requests that the transaction be stopped until a decision is given by the court.

2. The same Fatmeh has also presented the objection enclosed on fol.21, stating that as a sale ^{transaction} of half a kirat out of ~~six~~ kirats in a land known as Khor El-Jarrad of Kalansawa by Rasheed Abu Raad to Saleh Mustafa Ennatour, ^{has been presented to this office} and whereas she is an heir of Rasheede dtr. of Mohamed Abu Raad, she therefore requests that the transaction be stopped until the result of a case lodged by her against the said Rasheed Abu Raad is known.

3. Applicant Saleh son of Mustafa Ennatour presented the application enclosed on fol.23, together with a copy of a decision given by the land Court, Samaria (enclosed on fol.22) stating that ~~the land~~ said Fatmeh lodged a case against me last year but, as may be seen from the Court's decision (on fol.22) the said case was dismissed; that the said decision was given according to the claim made by the plaintiffs who did not claim in ~~their~~ said case for the land as it is really located, but claimed certain shares out of a total of twenty shares, whereas in reality the land under consideration is a whole and a plan for same was made and signed by the adjoining neighbours.-

cc That in its said decision (enclosed on fol.22) the Court mentioned the land to be six shares out of 24 shares because it did not ask from ^{me} to explain the state of the land, but asked plaintiffs to prove their ownership to the land, and as same could not be proved by them, the case was dismissed and their agent declared before the court that his principals (objector & her children) ~~have~~ no rights in the land. I therefore beg that the transaction should proceed in its present state and not as laid down by the court in its said decision as it is impossible for me to bring all the owners of all the shares for approving the transaction, but that ~~he~~ ^{he am} ready to bring the owners of the six shares only for their approval."

4. Applicant Saleh Ennatour was asked to explain the meaning of the last para of his application mentioned in para 3 above, and he presented accordingly the application enclosed on fol. 27 stating that in his application of 29.5.33 (fol.23) he stated that Fatmeh dtr. of Mohamed Kaaka lodged a ~~case~~ against him trying to prove that the land under consideration was Mashaa and that the

P.T.O.

Court dismissed her case ^{in this} that the land under consideration is one whole plot which is ⁱⁿ possession that he did mention in his said application whether the land was mashaa or otherwise as he was not asked to do so etc.

5. The notification enclosed on fol.29 has been served upon the said Fatmeh dtr. of Mohamed Kaaka and her children Abdul-Rahim and Hamdeh informing her of the contents of the transaction and drawing her attention to the dismissal by the Court of a case lodged by her (fol.22) and finally granting them a period of seven days for stopping the transaction through the Court.

6. In her application enclosed on fol.31, the said Fatmeh states that the period granted to her is not sufficient and asking for a further period of fifteen days.

7. Advocate Abdul-Munem Eff. Kamhieh presented the application enclosed on fol.33 on behalf of his clients Fatmeh dtr. of Mohamed Kaaka and her children Hamdeh and Abdul-Rahim, stating that it has come to his knowledge that Saleh son of Mustafa Ennatour is trying to sell the shares of his principals coming to one quarter Kirat out of twenty four Kirats in Ard Hatrcour Ziab of Khor El-Jarrad El-Wastani; that ~~the~~ ^{Saleh Ennatour} he is trying to register the said lands in his name by way of possession in accordance with a mazbata issued to him by his Brother the Mukhtar, while in reality this land is half a share out of six shares and ^{not as} mentioned in the Mukhtar's certificate etc. He therefore requests that the transaction be stopped until he should prove the rights of his clients etc.

8. Reference your para 1, of your letter above mentioned letter.

The mazbata enclosed on fol.26, signed by the Mukhtar and two notables of Kalansawa as well as by three adjoining neighbours, has been presented to me to the effect that the plan covers the whole area claimed by applicant without any encroachment on Abdul-Rahim Hannoun or anyone else.

Abdul-Rahim Hannoun has been notified again and granted another period of five days for stopping the transaction (fol.28) but he made a note on the notification to the effect that the Court does not hear cases during the month of August and requesting therefore that the period be granted to him as soon as the Courts open.

9. Reference your para 2.

The statement of the mukhtar at the bottom of fol. 1, was also signed by two notables.

10. Reference your para 3.

My para No.5, above refers.

11. Reference your para 4.

My para No.4, above refers.

12. Reference your para 5, and my para 2, above.

The application (enclosed on fol. 34) dated 7.8.33 has been presented to this office by a certain Rasheed Abu Raad stating the following ,

" It has come to my knowledge that a transaction for new registration has been presented to you by Saleh Mustafa Ennatour in respect of Ard Juwar El-Jarrad bonded as -----,

P.T.O.

III.

claiming that this land devolved upon him by sale from his father Mustafa Ennatour. This is however an arrangement made between him and the Mukhtar and elders as the Mukhtar is his brother and the notables are in relationship to him. The truth, however, is that this land is a property of the heirs of Mohamed Abu Raad of whom I am one. I have sold my rights to Saleh Mustafa Ennatour after the occupation vide an unofficial agreement, which ^{fact} may be verified from the other notables of the village who refused to sign the Mazbata. I therefore beg that the transaction be stopped and applicant be asked to produce any official documents ^{for} proving his possession to the land so that the truth may appear to you and my rights as well as the rights of the remaining heirs may be safeguarded?

13. The same Rasheed Abu Raad appeared in this office on 10.8.1933 and in presence of Omar Eff. Rissas and two other witnesses made a note at the bottom of his said application stating that he had no rights in the land mentioned in his said application as it appeared to him that the said land was sold by his father Mohamed Abu Raad etc.

14. Rasheed Abu Raad has also presented a reply dated 4.4.32 made to Fatmeh dtr. of Mohamed Kakaa and partners through the Land Court, Samaria which reads as follows :-

"I am not an opponent to the plaintiffs in this case as I am not in possession of half a Kirat in Khor El-Jarrad El-Sharki because the possessor of the said shares is Saleh Mustafa Ennatour since a period of about 20 years etc?"

15. The application enclosed on fol. 36 as well as that passed to me under covering of your letter No.R, 13388-6864 of 28.8.33 (fol.37) have both been presented by a certain Abdalla Said El-Khateeb stating the following :-

"Saleh son of Mustafa Ennatour of Kalansawa has presented a transaction for the new registration of half a kirat out of three kirats in Ard Hatrou Diab bounded as ----- and being an heir of Ismail Abu Safieh, the owner of one kirat in this land, own certain shares in the said land."

The truth is that the said land is not as mentioned in the mukhtar's certificate, but it is six Kirats and not three which fact I may prove by the deeds of partition approved by the Land Court of Nablus etc."

16. The said Abdalla son of Said El-Khateeb was notified at the bottom of his application (fol.36) and granted a period of ten days for stopping the transaction through the Courts, but nothing has been received in this connection.

I beg to resubmit herewith the file with enclosures for your perusal and further instructions, please.

AS/RK.

REGISTER OF LANDS.

R.

#13388-6864

28 AUG 1933

Registrar of Lands
Tulkarm.

Subject :- Saleh Ibn Mustafa
El Natour.

Attached complaint is passed
for your information - please hold up
the transaction and forward it to me
together with this complaint and your
remarks.

(mm)
DIRECTOR OF LANDS.

MH/LP

11 JUL 1933

Registrar of Lands,
Tulkarm.

Subject:- Saleh son of Mustafa
El Natour.

Reference:- Your letter No. 573/32
of the 24th of June, 1933

Abdul Rahim Hannun alleges an encroachment on his own property therefore the Moukhtars must give a mazbata to be signed by the adjoining owners that the plan covers the whole area claimed by applicant without an encroachment on Abdul Nahim Hannun or any one else; when this has been done you will notify him again to stop the transaction if he so desires.

2. The statement of the Moukhtars at the bottom of the Mazbata folio (1) should be also signed by the members.

3. Fatmeh Mohd. Kaka and her children should be notified of the judgment of the Court dated 21.6.33 and if she desires to stop the transaction she should produce an order of the Court for doing so.

4. I am unable to decipher the last line of the petition of Saleh El Natour dated 29.5.33 does he admit that the land he is applying for held in 6 shares, if so, how can he reconcile this with his statement that he is the sole owner of the whole plot.

5. Woman Fatmeh Kaka complains of the sale by Rashid Raad to Salah Mustafa El Natour what does this mean, I can see nothing in the papers but application for registration in the name of Salah where does Raad come in. Please investigate into all these points and report to me for further scrutiny.

Your file is returned herewith.

TLR/573/1932- 938

Registrar of Lands,
Tulkarm,
24th, June 1933.

Director of Lands,
JERUSALEM.



Subject :- Saleh son of Mustafa El-Natur.

Reference :- Your letter No. R. 13388-1879 dated 10.3.1933.

Mustafa El-Natur, father of applicant is alive and he has been informed that he should state in writing how did he obtain possession of the land.

2. He has appeared in this office and in presence of two witnesses has admitted that he was in possession of the land since a period exceeding forty years, and 15 years ago, he disposed of it to his son Saleh, ever since Saleh has been in possession of the land undisputedly (fol. 2, refers).

3. Mustafa El-Natur refused to admit by which way he took possession of the land and applicant Saleh El-Natur has presented the application, enclosed on fol. 17, stating that the reason for the refusal of his father is that his documents were lost and should he state the way by which he took possession of the land, he would give chance to certain persons to raise cases against him and claim the land, that Saleh is applying for the registration of the land, he has stated the way by which he took possession of the land and the sellers have confirmed the possession of applicant, therefore, there is no need for his father to state the way by which he took possession of the land etc.

4. The application, enclosed on fol. 18, has been presented by Safieh daughter of Ismail Abu Safieh of Kalansawa stating that: "It has come to her knowledge that a mazbata has been signed by the mukhtar of Kalansawa alleging that one out of six shares in the land known as Khor El-Jarad (Bahthron Diab), situated at Kalansawa is belonging to his brother Saleh Mustafa El-Natur, devolving upon him from his father, while the said shares belonged to her father Ismail Abu Safieh and they are still held by Masha system and that she is going to raise a case and requests me to stop the ~~case~~ ^{hausaalin} until her ownership is proved in the court.

5. Saleh son of Mustafa El-Natur has again presented the application, enclosed on fol. 19, stating that he has presented a certificate of mukhtar and elders proving his possession and the plan made for the land has been signed by the adjacent neighbors certifying the correctness of its area and boundaries, that the statements contained in the application, (fol. 18), is baseless and his sole intention is to draw money from him and he requests that a notification

P.T.O.

be served on Safieh for proving her right in the Competent Court, etc. etc.....

6. The complainant Safieh has appeared in this office and in presence of two witnesses has signed the declaration on fcl. 18, renouncing her right to the shares applied for by applicant.

7. A certificate signed by the mukhtar and elders of Kalansawa has been presented and is enclosed on fcl. 15; they state that in their mazbata, fcl. 1, they stated that the northern boundary of the land is Haj Nimr Abdul-Kader, Land of Tulkarm and road, while the correct boundary is road separating land of Tulkarm as well as land of Nimr Abdul-Kader.

8. The notification, enclosed on fcl. 14, has been served on Abdul-Rahim Eff. Hannoun asking him to either sign the plan or to submit his reasons for refusals.

9. ~~This~~ In his reply, enclosed on fcl. 16, he states that a part of his land has been included in the boundaries of Saleh El-Natour, that the mukhtar of Kalansawa is the brother of applicant and the elder Ali Abu Zmeirc is his uncle and the trespass was contemplated by applicant for losing his right and he finally requests that the transaction should be stopped pending the correction of the plan etc...

Resubmitted for your perusal and instructions, please.

IJ/RN.

REGISTRAR OF LANDS.

Registrar of Lands,
Tulkarm

Subject:- Saleh son of Mustafa El-Natour.

Reference:- Your TLR/573/32-257 of
20. 2. 33.

If the father Moustafa is dead his heirs should confirm the ownership of applicant but if he is alive it will be advisable if he states in writing how did he obtain possession of the land.

2. Why is there a difference in the northern boundary between the mazbata and the report.

3. Please ask Abdul Rahim Hanoun either to sign the plan or to submit his reasons for refusal together with the plan of his adjoining land.

4. In paragraph 8 of your letter you state that the land is at a distance of more than one hour from the nearest inhabited village, while the surveyor on his report on folio 6 states that the distance is less than half of an hour - Please explain why is this contradiction.

Your file is returned herewith.

MA/E.

mm
DIRECTOR OF LANDS

Registrar of Lands,
Tulkarem,
20th, February 1933.

Director of Lands,
Jerusalem.

R 13388

22 FEB 1933

2994

Subject :- Saleh son of Mustafa El-Natour.

Reference :- Attached file.

Sa Saleh son of Mustafa El-Natour has presented an application (fol. 2) asking to register in his name, on the strength of the mazbata signed by the mukhtar and elders of Kalansawa, enclosed on fol. 2, a plot of plain miri land known as Khor El-Jarad, El-Sharki, situated within Kalansawa lands and bounded in accordance with the mazbata as:-

- N. Haj Nimr Abdul-Kader of Tulkarem and road.
- S. Awwad Odeh Abu Khadijeh.
- E. Mustafa El-Natour.
- W. Mahmoud Hannoun and Brothers and Haj Nimr Abdul-Kader.

2. The mukhtar and elders of Kalansawa stated in their said mazbata that:- "the property described above is undisputedly in possession of Saleh son of Mustafa El-Natour of Kalansawa since a period exceeding 15 years, devolved upon him by unofficial purchase from his father Mustafa El-Natour, and that the said property is not formerly registered in the tabou, and that it is free from all kinds of encumbrances and they, therefore, have no objection to the registration being effected in the name of applicant etc....."

The mukhtar stated, further, in the foot of the mazbata that the land is neither a part of the masha' belonging to Kalansawa nor of any other lands.

3. From the notes given by Mudir El-Mal and Omar Eff. Pissas, the official in charge of the Turkish registers (on the file cover) it appears that the land in question is neither registered in the tabou nor in the Werco.

4. A plan has been prepared for the land under consideration by a licenced surveyor, who and after a test of check has been made by the surveyor of this office, who signed and made his report, enclosed on fol. 6, it has been approved by the Director of Survey.

5. The land measures, according to the plan, 182 Std. donums and 16 mtrs and bounded as:-

- N. Road.
- S. Awwad Odeh Abu Khadijeh.
- E. Mustafa El-Natour.
- W. Haj Nimr Abdul-Kader and Abdul-Fahim Hannoun and Bros.

6. The mukhtar and elders of Kalansawa together with all the adjoining neighbours, except Abdul-Fahim Eff. Hannoun and Brothers, have signed the plan certifying the correctness of its area and boundaries.

7. Applicant has produced an application, fol. 10, stating that he asked Abdul-Fahim Eff. Hannoun and Brothers to sign the plan but they refused to do so, on the ground that when his father signed the plan of their land at Shufeh ~~they~~ they are ready to sign him this plan, and therefore, he requested us to notify them accordingly.

8. The land under consideration is an arable land, a part of which is planted lupins and barley while the other part is left for rest. It is at a distance of more than an hour's time from Kalansawa, the nearest inhabited village.

9. The conditions of the surrounding lands are as follows:-

N. The lands situated after the road are arable and are tilled for summer crops.

S. Part of Ard Odeh Abu Khadijeh is planted with barley and the other part is left for rest.

E. The land of Mustafa El-Natour is planted with barley.

W. The land of Haj Nimr Abdul-Kader is tilled for summer crops, while that of Abdul-Fahim Eff. Hannoun and Brothers is planted with barley.

Submitted for your perusal and instructions,
please.

MF/TH

REGISTER OF LANDS.